

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF NORTH CAROLINA  
WESTERN DIVISION  
No. 5:08-HC-2086-D

UNITED STATES OF AMERICA,                     )  
   )  
    Petitioner,                                     )  
   )  
    v.   )  
   )  
RICHARD GARCIA,                                 )  
   )  
    Respondent.                                    )

**ORDER**

This case comes before the court on respondent's motion (D.E. 17) to retain Leonard A. Bard, Ph.D. as an expert witness. The court construes this motion as one for appointment of Dr. Bard as an additional mental health examiner selected by respondent pursuant to 18 U.S.C. §§ 4247(b) and 4248(b). The court hereby GRANTS respondent's motion and APPOINTS Dr. Bard as an additional mental health examiner selected by respondent, pursuant to the foregoing statutes.

In accordance with the Order of May 19, 2011 (pp. 13-15) in United States v. Gloshey, No. 5:08-HC-2051-BR (D.E. 58), the Department of Justice ("DOJ") is ORDERED to pay the costs of Dr. Bard in accordance with the Guidelines for Administering CJA and Related Statutes applicable to cases under 18 U.S.C. §4246, 7A Guide to Judiciary Policy §320.20.60(g), pending ultimate resolution of the allocation of responsibility for payment of such costs. DOJ shall be responsible for costs of the examination, report, and hearing and deposition testimony. The effective date of this Order is June 10, 2008, nunc pro tunc. Respondent shall provide DOJ, through the United States Attorney's Office, E.D.N.C., all the information and documents reasonably needed by DOJ to obligate the funds for the payments under this Order.

SO ORDERED, this 1st day of June 2011.



James E. Gates  
United States Magistrate Judge